

## REMARKS/ARGUMENTS

Claims 1-21 are pending in the present application. The Examiner has rejected claims 1, 5-13, and 17-21. The Examiner has objected to claims 2-4, 11, 12, 14-16, 20, and 21. Applicant respectfully requests reconsideration of pending claims 1-21.

The Examiner has rejected claims 1, 5-9, 13, 17, and 18 under 35 U.S.C. § 102(e) as being anticipated by Katou (U.S. Patent No. 6,347,088). The Examiner states that "Katou discloses...query the database 'Fig. 17, Ref. 1702' to obtaining the information of the endpoint switch 501 which support a transparent link between the 501 endpoint switch or node)". Applicant respectfully disagrees. As Katou states in col. 10, lines 16-20, "When receiving signalling information (a call setting signal) a signalling system judgement unit 1701 in the IWF 503 judges the signalling system of the PBX 501 on the calling party side by referring to the configuration information stored in a configuration information storage unit 1702." Thus, Katou's teaching does not involve "...obtaining connection information of an end-point network switch...wherein the receiving party is operably coupled to the end-point switch...", as Katou does not appear to teach the use of configuration information storage unit 1702 in a manner in which Katou would be obtaining such connection information of an end-point network switch.

Moreover, Katou states in col. 10, lines 24-34, "When the signalling system of the PBX 501 on the calling party side is judged to be a common channel signalling system, a common channel signalling analysis unit 1703 identifies the ATM-WAN node 502 on the called party side by analyzing the received call setting N-ISDN signals. Then, an Audio-ATM interwork control unit 1706 stores the above-mentioned call setting N-ISDN signals in a plurality of ATM cells as they are (see FIG. 12), and sends those ATM cells to a connection for N-ISDN call setting on an ATM trunk line 504 connected to the ATM-WAN node 502 on the called party side." Katou further states in col. 10, lines 35-43, "On the other hand, when the signalling system of the PBX 501 on the calling party side is judged to be a channel associated signalling system, a channel associated system analysis unit 1704 identifies the ATM-WAN node 502 on the called party side by analyzing the received call setting channel associated signals. Then, a signalling system conversion unit 1705 converts the above-mentioned call setting channel associated signals to call setting N-ISDN signals." Thus, Katou teaches away from the claimed invention. From the foregoing, it is understood that Katou communicates all so-called call setting signals as N-ISDN signals, either by passing existing so-called call setting N-ISDN signals or by converting so-called call setting channel associated signals to call setting N-ISDN signals.

Consequently, Katou apparently suffers from the same drawbacks discussed in the Background of the Invention section of being unable to support communication for non-standard protocols (i.e., those protocols not included within a finite set of protocols that can be converted to a protocol supported by the medium of communication).

Therefore, while Katou uses the word "transparently" in his Abstract, the meaning of his term "transparently" is significantly different from the term "transparent link" as used in the present application. In accordance with the disclosures of the present application, a "transparent link" may be used to provide communication without requiring that a protocol used for such communication be in the form of or converted to a network data transport protocol, which can include the ability to support non-standard protocols, even protocols for which support to transform such protocols into a network data transport protocol is not provided. Thus, it is possible for a method and apparatus in accordance with the disclosures of the present application to allow non-standard protocols to be transported in an untransformed form. Since Katou appears to require that all so-called call setting signals be transmitted using a single standard type (i.e., N-ISDN) of signalling, Katou appears unable to perform, and, in fact, appears to teach away from "...supporting the transparent link...." Thus, Applicant submits that claims 1, 5-9, 13, 17, and 18 are in condition for allowance.

The Examiner has rejected claims 9, 10, 18, and 19 under 35 U.S.C. § 102(b) as being anticipated by Amri (U.S. Patent No. 5,535,199). Applicant has amended claims 9 and 18. Rejected claim 10 depends from amended claim 9, and rejected claim 19 depends from amended claim 18. Thus, Applicant submits that claims 9, 10, 18, and 19 are in condition for allowance.

The Examiner has objected to claims 2-4, 11, 12, 14-16, 20, and 21 as being dependent upon a rejected base claim, but states that those claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has so amended claims 11 and 20. Claim 12 depends from amended claim 11, and claim 21 depends from amended claim 20. Moreover, the remainder of the claims to which the Examiner has objected depend from claims that Applicant submits are in condition for allowance, as stated above. Applicant notes that the amendments to claims 11 and 20 do not change their scope in any way and have a merely cosmetic effect of expressing those claims in independent form.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current response. The attached page is captioned "Version with markings to show changes made."

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Date

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**Version with Markings to Show Changes Made**

9. (Amended) A method for adaptive service interworking, the method comprises the steps of:

- a) receiving a set-up message that identifies a receiving party;
- b) interpreting the set-up message to determine whether a transparent link is to be established between a sending party and the receiving party, wherein the transparent link does not transform a data transport protocol to a network data transport protocol; and
- c) when the transparent link is to be established, supporting the transparent link.

11. (Amended) [The method of claim 9, wherein step (c) further comprises:] A method for adaptive service interworking, the method comprises the steps of:

- a) receiving a set-up message that identifies a receiving party;
- b) interpreting the set-up message to determine whether a transparent links is to be established between a sending party and the receiving party; and
- c) when the transparent link is to be established, supporting the transparent link, appending a receiving enhanced traffic descriptor to a connection message to produce a modified connection message[;], and transporting the modified connection message to a beginning end network switch operably coupled to the sending party.

18. (Amended) A set-up processor comprises:

a processing module; and

memory operably coupled to the processing module, wherein the memory includes operating instructions that cause the processing module to (a) receive a set-up message that identifies a receiving party; (b) interpret the set-up message to determine whether a transparent link is to be established between the sending party and the

receiving party, wherein the transparent link does not transform a data transport protocol to a network data transport protocol; and (c) support the transparent link when the transparent link is to be established.

20. (Amended) [The set-up processor of claim 18, wherein the memory further comprises operating instructions that cause the processing module to:] A set-up processor comprises:

a processing module; and

memory operably coupled to the processing module, wherein the memory includes operating instructions that cause the processing module to (a) receive a set-up message that identifies a receiving party; (b) interpret the set-up message to determine whether a transparent link is to be established between the sending party and the receiving party; (c) support the transparent link when the transparent link is to be established; (d) append a receiving enhanced traffic descriptor to a connection message to produce a modified connection message; and (e) transport the modified connection message to a beginning end network switch operably coupled to the sending party.